

State of Idaho  
Department of Water Resources  
**Permit to Appropriate Water**

NO. 74-07346

Priority: April 25, 1994

Maximum Diversion Rate: 0.80 CFS

This is to certify, that JANET E BIRD Or  
KURT W BIRD  
56 LOWER TEXAS CREEK RD  
LEADORE ID 83464

has applied for a permit to appropriate water from:

**Source:** WASTE WATER**Tributary:** TEXAS CREEK

and a permit is APPROVED for development of water as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> |
|-----------------------|----------------------|--------------------------|
| IRRIGATION            | 03/15 to 11/15       | 0.80 CFS                 |

**LOCATION OF POINT(S) OF DIVERSION:**

WASTE WATER SE¼SE¼ Sec. 15 Twp 15N Rge 26E, B.M. LEMHI County

**PLACE OF USE:** IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 15N | 26E | 14  |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40.0   |

Total Acres: 40

**CONDITIONS OF APPROVAL**

1. Proof of application of water to beneficial use shall be submitted on or before **October 01, 2013**.
2. Subject to all prior water rights.
3. The waste water diverted under this right is subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place of use or manner of wasting it, or to recapture it.
4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 74W.
5. Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide the watermaster suitable control of the diversion.
6. Prior to the diversion and use of water under this right, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion and in accordance with Department specifications, or shall obtain an approved variance from the Department to employ an alternative method to determine and record the amount of water diverted.

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7. When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.
8. This right does not grant any right-of-way or easement across the land of another.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 29<sup>th</sup> day of September, 2011.

  
for GARY SPACKMAN Interim Director

